

REMARKS

The Examiner has issued a restriction requirement under 35 U.S.C. § 121 requiring election of one of six different claim groupings. Applicants' undersigned representative provisionally elects *with traverse* Examiner's Group I, consisting of claims 1-6 and 21-29, and 62-75, for prosecution in the present application. This election is in no way an admission of the Examiner's characterizations of the claims. Applicants reserve the right to prosecute the non-elected claims, as well as any other claims supported by the specification, in one or more subsequent patent applications. Furthermore, Applicants' undersigned representative respectfully requests reconsideration of the restriction between Examiner's Group I and Group IV in light of the following remarks.

Prosecuting Group I With Group IV Will Not Impose A Serious Burden

Claim 1, which the Examiner has classified as belonging to Group I, is as follows:

1. **A computer network**, the computer network **including a plurality of managed sites**, wherein **each of the managed sites comprises**:
 - a. **at least one manager engine computer** coupled to a plurality of managed nodes, the at least one manager engine computer including a management software component, the management software component being capable of retrieving and storing data representative of network system state information, the network system state information comprising relationships among a plurality of managed network elements, wherein at least one of the plurality of managed network elements corresponds to one of the plurality of managed nodes; and
 - b. **at least one client computer coupled to the at least one manager engine computer**, the at least one client computer including a data retrieval software component, the data retrieval software component being capable of retrieving the data

representative of network system state information from the at least one manager engine computer and of presenting the data representative of network system state information to a user.

Claim 18, which the Examiner has classified as belonging to Group IV and has required restriction from Group I, is as follows:

18. **A computer network, the computer network including a plurality of managed sites, wherein each of the managed sites comprises:**
- a. **at least one manager engine computer** coupled to a plurality of managed nodes, the at least one manager engine computer including
 - i. a management software component, the management software component being capable of retrieving and storing data representative of network system state information, the network system state information comprising relationships among a plurality of managed network elements, wherein at least one of the plurality of managed network elements corresponds to one of the plurality of managed nodes; and
 - ii. an audit software component, the audit software component being capable of storing in a log file data representative of audit information about applications running on the plurality of managed nodes; and
 - b. **at least one client computer coupled to the at least one manager engine computer**, the at least one client computer including a data retrieval software component, the data retrieval software component being capable of retrieving the data representative of network system state information and audit information from the at least one manager engine computer and of presenting the data representative of network system state information and audit information to a user.

Thus, both claims 1 and 18 comprise the same basic elements, *i.e.* a computer network including a plurality of managed sites wherein each of the managed sites comprise at least one manager engine computer and at least one client computer. Therefore, examination of claims 1

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and 18 will involve searching for the same elements. Applicants' undersigned representative respectfully submits that due to the overlap in claim elements and the likelihood that similar searches will be required, prosecuting claims 18 through 20 (*i.e.* Group IV) and the claims designated by Group I in the same application will **not place a serious burden** on the Examiner. (*See* M.P.E.P. § 803 which specifies a proper requirement for restriction requires: a) the inventions must be independent or distinct; **and b) there must be a serious burden on the examiner if restriction is required.**) Reconsideration of the restriction between Examiner's Group I and Group IV, and prosecution of claims 1-6, 21-29, 62-75, and 18-20 in the present application is respectfully requested.

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John E. McGlynn
Registration No. 42,863

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439